

REMARKS

The Rejections under 35 USC Section 102(b)

Claims 13-20 and 22-24 have been rejected under 35 USC Section 102(b) as anticipated by US Pat. No. 5,140,061 (Feder). Applicants hereby traverse the rejections and request reconsideration of the claims for the following reasons.

The copolymers of the present invention comprise two separate components, a first component called the flexible component, and a second component that is a retentive component capable of binding with or otherwise retaining flavor-active or odor-active compounds. This is essential to the purpose of the invention, namely the prevention of taint of stored wines by retaining odor or flavor active compounds so as to prevent their passage from the outside environment into the stored wine.

In contrast, although US Pat. No. 5,140,061 ("Feder '061") pertains to the subject matter of coating cork stoppers (col. 8, lines 45 et seq.), it does not disclose such a flavor or odor retentive compound comprised of two component crosslinked copolymers as does the invention. Rather, Feder '061 teaches elastomeric compounds, produced by crosslinking aqueous silicone dispersions, that have been chosen specifically to prevent liquid from running between the neck of the bottle and the stopper (col. 8, lines 59-62). Such a crosslinked silicone product corresponds to the flexible component of Applicants' invention, however, Feder '061 contains no disclosure of a retentive component as in the invention for binding or otherwise retaining the flavor-active or odor active compounds. Accordingly, there is no disclosure that the

crosslinked silicones of Feder '061 comprise any component capable of preventing cork taint, a primary objective of Applicants' invention.

The Rejections Under 35 USC Section 103

Claims 13-24 had been rejected under 35 USC Section 103(a) as unpatentable over US Pat. No. 5,140,061 in view of US Pat. No. 5,721,026 ("Feder '061" and "Feder '026" respectively). Applicants respectfully traverse the rejections and request reconsideration for the claims.

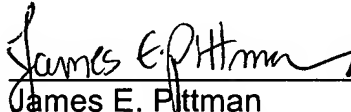
Neither Feder '061 nor Feder '026 disclose compounds comprising two components, a flexible component and a retentive component as does the invention. As discussed above, the compounds of both Feder patents are crosslinked aqueous silicone dispersions which correspond only to the flexible component of the invention. Furthermore, Applicants wish to direct the Examiner's attention to claim 1 of Feder '026, which, in part (C) of the claim explicitly recites that the crosslinking agent merely "reacts with the emulsion (A) to produce an elastomeric state". Accordingly, the crosslinked product would not appear to comprise any functionality capable of bind with or otherwise retaining flavor-active or odor-active compounds. For these reasons, Applicants request withdrawal of the rejections and reconsideration of the claims.

CONCLUSION

No fees are believed to be necessitated by the foregoing Response and Amendment. However, should this be erroneous, authorization is hereby given to charge Deposit Account No. 11-1153 for any underpayment, or credit any overages.

Respectfully submitted,

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